



Loudoun County, Virginia

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Office of the County Administrator

1 Harrison Street, S.E., 5th Floor, P.O. Box 7000, Leesburg, VA 20177-7000

Telephone (703) 777-0200 • Fax (703) 777-0325

At a business meeting of the Board of Supervisors of Loudoun County, Virginia, held in the County Government Center, Board of Supervisors' Meeting Room, 1 Harrison St., S.E., Leesburg, Virginia, on Wednesday, July 16, 2014 at 4:00 p.m.

IN RE: ZOAM 2014-0001/RESOLUTION OF INTENT TO AMEND THE REVISED 1993 LOUDOUN COUNTY ZONING ORDINANCE TO AMEND THE ADDITIONAL REGULATIONS OF SECTION 5-606, KENNELS/INDOOR KENNELS (COUNTYWIDE)

Mr. Buona moved that the Board of Supervisors adopt the Resolution of Intent to Amend the Revised 1993 Loudoun County Zoning Ordinance, provided as Attachment 1 to the Action Item for the Board of Supervisors July 16, 2014, Business Meeting, to implement ZOAM 2014-0001, Kennels/Indoor Kennels Amendments.

Seconded by Mr. Williams.

Voting on the Motion: Supervisors Buona, Clarke, Delgaudio, Letourneau, Reid, Volpe, Williams and York – Yes; None – No; Supervisor Higgins – Absent for the Vote.

  
DEPUTY CLERK FOR THE LOUDOUN  
COUNTY BOARD OF SUPERVISORS

(10-ZOAM 2014-0001/RESOLUTION OF INTENT TO AMEND THE REVISED 1993 LOUDOUN COUNTY ZONING ORDINANCE TO AMEND THE ADDITIONAL REGULATIONS OF SECTION 5-606, KENNELS/INDOOR KENNELS )

JULY 16, 2014

BOARD OF SUPERVISORS OF LOUDOUN COUNTY

RESOLUTION OF INTENT TO AMEND THE  
REVISED 1993 LOUDOUN COUNTY ZONING ORDINANCE TO REVISE  
REGULATIONS IN REGARD TO KENNELS

WHEREAS, the Board of Supervisors wishes to initiate amendments to the Revised 1993 Loudoun County Zoning Ordinance (the "Zoning Ordinance") in furtherance of the purposes of zoning as set out in §15.2-2283 of the Code of Virginia and to further implement the comprehensive plan; and

WHEREAS, the Board of Supervisors affirmed a strategic plan on October 16, 2013, and reaffirmed that strategic plan on June 4, 2014, which strategic plan included a review of ordinances regarding kennels, specifically the Codified Ordinances of Loudoun County and the Zoning Ordinance; and

WHEREAS, the Board of Supervisors approved the repeal of Chapter 808, Dog Kennels, of the Codified Ordinances of Loudoun County on June 11, 2014; and

WHEREAS, the Board of Supervisors wishes to initiate amendments to Article 5 of the Zoning Ordinance to revise the Additional Regulations for Kennels/Indoor Kennels so that such regulations are in conformance with the Code of Virginia.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors states its intention to amend the Revised 1993 Loudoun County Zoning Ordinance as follows:

1. Amend Section 5-606, Kennels/Indoor Kennels, to delete the reference to Chapter 808 of the Codified Ordinances of Loudoun County; and
2. Amend Section 5-606(A)(1), Kennels, General, to revise the number of animals that constitutes a kennel, and other standards, so that the definition of, and regulations in regard to, kennels are in conformance with the Code of Virginia; and
3. Amend Section 5-602(C), Kennels in AR, TR, PD-GI and JLMA Districts, to delete the PD-GI zoning district from the list of zoning districts that are subject to the standards of Section 5-602(C); and
4. Amend such other sections of the Zoning Ordinance as may be necessary to fully implement and maintain consistency with the foregoing amendments, to correct typographical errors and update references, and to achieve the full intent of this Resolution; and

BE IT FURTHER RESOLVED, that (1) these amendments are in furtherance of the public necessity, convenience, general welfare, and good zoning practice; (2) Staff is directed to prepare draft amendments for consideration; and (3) the proposed amendments on these matters be brought forward for notice, hearing, Planning Commission recommendation, and Board of Supervisors' action.

## Section 5-600

**Additional Regulations for Specific Uses.** The following additional regulations apply to specific uses as set forth below. These regulations are intended to serve as the minimum standards for these uses, and are not intended to be in substitution for other provisions of this ordinance that may apply, or for additional conditions that may be imposed in connection with special exception or rezoning approvals. Unless otherwise specified, the following additional regulations may be modified by Minor Special Exception in accordance with the provisions of Section 6-1300. Modifications may be approved by the Board of Supervisors upon a finding that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, preserve the County's historic or archeological heritage, or otherwise exceed the public purpose of the existing regulation. No modification shall be granted to any of the underlying zoning district regulations.

### 5-606

**Kennels/Indoor Kennels.** ~~Nothing herein shall relieve a kennel from complying with the provisions of Section 808 of the Codified Ordinances of Loudoun County.~~ For the purposes of this Ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

#### (A) Kennels.

- (1) **General.** Kennel shall mean any place in or at which, for a fee, ~~six-five (5)~~ or more dogs, cats, or other household pets over the age of six months are trained, boarded, including day care services, or handled.
- (2) **Not Applicable to Animal Hospital/Grooming Use.** This Section shall not apply to any establishment whose principal use is grooming or any animal hospital.

#### (B) Indoor Kennel.

- (1) **General.** Indoor kennel shall mean any place that is within a completely enclosed commercial facility with no outdoor activity in which dogs, cats or other household pets are confined or penned in close proximity to each other, except for the primary purpose of grooming, or wherein any owner engages in boarding, breeding, letting for hire, training for a fee, or selling dogs, cats, or other household pets.
- (2) **No Opening to Outside.** Indoor Kennels shall not be housed in a structure with any opening to the outside except required ingress/egress and ventilation equipment, shall have an animal waste handling plan, and shall conform to any other requirements that the Planning Commission and/or Board of Supervisors may impose pursuant to special exception review (Section 6-1300).

- (3) **Accessory Uses.** Indoor Kennels may include accessory uses to an indoor kennel: up to 10% of gross floor area for retail sales, up to 10% of gross floor area for veterinary service, up to 10% of gross floor area for animal hospital, and up to 10% of gross floor area for grooming; provided, however, that accessory uses may not exceed 25% of the total gross floor area.

(C) **Kennels in AR, TR, ~~PD-GI~~ and JLMA Districts.** Kennels in the AR, TR, ~~PD-GI~~ and JLMA districts shall comply with the following standards.

- (1) **Location on Site/Dimensional Standards.** An outdoor kennel shall be set back 100 feet from a lot line.
- (2) **Roads/Access.**
  - (a) All kennels shall comply with the road access standards of Section 5-654.
  - (b) There shall be no more than one point of access from a kennel to a public road. This requirement shall not preclude an additional access for emergency vehicles only.
- (3) **Landscaping/Buffering/Screening.**
  - (a) The use shall comply with the landscaping and screening standards of Section 5-653(A).
  - (b) Parking areas shall be screened to comply with the requirements of Section 5-653(B).
- (4) **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5-652(A) (Exterior Lighting Standards).
- (5) **Noise.** The maximum allowable dB(A) level of impulsive sound emitted from the use, as measured at the property line, shall not exceed 55 dB(A).
- (6) **Parking.**
  - (a) **General.** Parking and loading shall be provided as required by Section 5-1102.
  - (b) **Surface.** All parking areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standard Manual.

## Miller, Teresa

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**From:** Armstrong, Van  
**Sent:** Monday, May 12, 2014 2:37 PM  
**To:** Miller, Teresa  
**Subject:** RE: ZOAM-2014-0001 Kennels/Indoor Kennels

Teresa – I have reviewed your referral received May 12, 2014 for a ZOAM for Kennels/Indoor Kennels. I see no issues with the amendment from a legislative application perspective and have no further comments to provide. Thank you for the request to review. Van

Van Armstrong, AICP

Program Manager, Loudoun County Planning Department  
(703) 777-0653

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**From:** Miller, Teresa  
**Sent:** Monday, May 12, 2014 1:17 PM  
**To:** Clare, Gary; Edmonds, Laura; Zimmerman, Barbara; Keim, Marsha; Hobbie, Jason; Koenig, Thomas; Mosurak, Lou; Salinas, Michael; Taylor, Maria; Lock, Joe; Keegan, Cynthia; Armstrong, Van; Depo, Mark  
**Cc:** Yudd, Charles; Young, Kenny; Brown, Ron; Rizer, Buddy; Pastor, Julie; Merrithew, John E.; Seigfried, Mike; Dozier, Nicole; Lohr, Michelle; Stultz, Mark  
**Subject:** ZOAM-2014-0001 Kennels/Indoor Kennels

For your records, please see the included request for referral and draft text attachments which are being distributed today.

Let me know if you have any questions.

Thanks  
Teresa

Teresa Miller, CZA  
Planner, Dept Building and Development  
703-737-8787

This e-mail is not intended to be and shall not be deemed to be an official order, requirement, decision or determination made by or on behalf of the Zoning Administrator.

**Miller, Teresa**

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**From:** Carter, Joseph  
**Sent:** Monday, June 02, 2014 9:36 AM  
**To:** Miller, Teresa  
**Cc:** Keegan, Cynthia  
**Subject:** ZOAM-2014-0001 Kennels/Indoor Kennels

I have reviewed the aforementioned ZOAM on behalf of the Community Planning Division. Staff doesn't have any comments.

Thank you.

**Joseph Carter, AICP, CZA, GISP**  
***Senior Planner***  
**LOUDOUN COUNTY PLANNING DEPARTMENT**

**This e-mail is not intended to be and shall not be deemed to be an official order, requirement, decision or determination made by or on behalf of the Zoning Administrator.**

**COUNTY OF LOUDOUN**

**DEPARTMENT OF BUILDING AND DEVELOPMENT**

**MEMORANDUM**

TO: Theresa Miller, Planner, Zoning Administration  
FROM: Hector E. Martinez, P.E. Engineering *H. Martinez*  
DATE: May 30, 2014  
RE: ZOAM-2014-0001, Amendments to ZO, Kennel/Indoor Kennels

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I have reviewed the referenced draft amendment. I have no objections from engineering to their adoption as currently drafted.

Any comments in the Environmental Review Team shall be forwarded under separate cover.

If you have any further questions, contact me at 703-771-5321 or [hector.e.martinez@loudoun.gov](mailto:hector.e.martinez@loudoun.gov).

**COUNTY OF LOUDOUN**  
**DEPARTMENT OF BUILDING AND DEVELOPMENT**  
**MEMORANDUM**

**DATE:** May 16, 2014

**TO:** Teresa H. Miller, Planner, Zoning Administration

**FROM:** Barbara Zimmerman, Assistant Director for Permit Issuance & Administration

**SUBJECT:** ZOAM-2014-0001, Amendments to the Zoning Ordinance-Kennels/Indoor Kennels Referral

Thank you for the opportunity to comment on the proposed revisions to ZOAM-2014-0001, Amendments to the Zoning Ordinance, Kennels/Indoor Kennels.

The changes as proposed will provide consistency with State law and allow for staff coordination with the Department of Animal Control. The suggested revision to the administrative policy to coordinate final zoning inspection with Animal Control staff can be easily accommodated within the process without lengthening the time for securing the occupancy permit.



**Miller, Teresa**

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**From:** Lock, Joe  
**Sent:** Tuesday, June 03, 2014 6:45 AM  
**To:** Miller, Teresa  
**Subject:** RE: Kennel Referral

I didn't really have much to say about the kennel ZOAM. It appeared ok.

Joe

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## Miller, Teresa

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**From:** Taylor, Maria  
**Sent:** Tuesday, June 17, 2014 11:34 AM  
**To:** Miller, Teresa  
**Subject:** ZOAM 2014-0001 Kennels/INdoor Kennels

Teresa,

Thank you for the opportunity to review the above captioned application. The Fire and Rescue Planning Staff has no comments. Let me know if you have any questions.

Maria

Maria Figueroa Taylor  
Fire-Rescue Planner  
Department of Fire, Rescue and Emergency Management  
801 Sycolin Road, Suite 200  
MSC # 61  
Leesburg, VA 20175

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